SUMMARY OF THE TRANSITION COMMITTEE MEETING JUNE 28, 2000

The Transition Committee of the National Environmental Laboratory Accreditation Conference (NELAC) met on Wednesday, June 28, 2000, at 9 a.m. Eastern Daylight Time (EDT) as part of the Sixth NELAC Annual Meeting in Williamsburg, VA. The meeting was led by its co-chairs, Dr. Charles D. Brokopp of the Utah Department of Health and Ms. Carol Batterton of the Texas Natural Resource Conservation Commission (TNRCC). A list of action items is given in Attachment A. A list of participants is given in Attachment B. *The purpose of the meeting was to present the current agenda of the committee and to offer attendees an opportunity to provide input.*

INTRODUCTION

Dr. Brokopp welcomed attendees and introduced the committee. Ms Batterton provided an overview of the agenda for the meeting. Dr. Brokopp then went over the NELAC ground rules.

UPDATE ON EPA SUPPORT FOR NELAC

The committee provided a report of a meeting held with the U.S. Environmental Protection Agency (EPA) Office of Research and Development (ORD) on June 22, 2000 regarding continuing support of NELAC by EPA. This meeting arose when Henry Longest, Deputy Administrator for the Office of Air Quality Planning and Standards (OAQPS) at EPA indicated at NELAC Vi that EPA intended to gradually withdraw support from NELAC over the next two years. Based on recent discussions with Mr. Longest and Ms. Norine Noonan,ORD Assistant Administrator, of EPA, EPA's current stand is that they do not want to withdraw support but to allow NELAC to become more independent. The NELAC Board of Directors (Board) asked the Transition Committee to come up with several options for support for NELAC. These options were:

1. Status quo
2. Formation of a non-profit organization independent of EPA
3. Formation of a non-profit organization with strong EPA role

Option three was preferred by both the Board and the Transition Committee. Forming a non-profit organization would offer advantages such as allowing NELAC to choose proficiency test (PT) providers, training providers, and managing the national database. This option was presented to EPA at their meeting with a workgroup from the Transition Committee and was regarded favorably by the EPA. EPA raised the issue of performance-based measurement systems (PBMS), and NELAC agreed to emphasize standards that would take PBMS into consideration. All attendees felt as though the NELAC has received a reaffirmation of support from EPA.

A committee member questioned whether this item should be handed over to the Program Policy and Structure Committee at this time. Comments were also requested from the floor concerning NELAC becoming a non-profit organization.

Attendees had questions about EPA's responsibilities with the non-profit organization concept, suggestions for how to set up the non-profit organization independently or under the umbrella of an existing non-profit organization, or use a non-profit organization to help in the first year with facilities and guidance.

A question raised on the amount of time it takes for a non-profit organization to come up to speed. The response was that EPA must continue to back NELAC financially. Another participant stated that NELAC has an advantage over other start-up organizations because they already have standards and a charter. The more pressing question is what will be EPA's role in this transition.

A committee member suggested that a workgroup with both NELAC and EPA representatives would be needed, especially regarding legal restrictions on the mechanics of the EPA/NELAC relationship.

A question was posed to the current accrediting authorities (AAs) on how they would react to the formation of NELAC as a non-profit organization. Several AA representatives stated that it introduced no problems. NELAC itself would not be giving accreditation; accreditation would still come through each of the AAs.

Another question was raised as to how NELAC, as a non-profit organization, would differ from any other non-profit organization that provides training and guidance. A response to this was that the National Technology Transfer Act outlines EPA responsibilities. Also, each state would be the actual accrediting authority with their accrediting power being given by state law.

Several state participants stated that they would have a problem participating in a group with lobbying capability. It was suggested that federal and state employees could belong to these groups, but could not lobby or solicit any participation of other government employees.

A motion was forwarded to form a subcommittee workgroup made up of representatives from the Transition Committee, the Program Policy and Structure Committee, EPA representatives, and AAs to evaluate options for development of a non-profit organization and to report back to the Transition Committee and the Board. The item was passed unanimously.

FIELDS OF TESTING

One outcome of the Scope of Accreditation Special Session on June 27, 2000 was strong support for a change of fields of testing categorization to matrix, method, analyte/analyte class. Some attendees preferred to drop analyte/analyte class. Several states indicated that they could not participate if the analyte/analyte class was not included. A proposal on this issue is not expected until the next interim meeting. One of the AAs stated that the problem is critical for laboratories having to go to more than one primary accrediting authority, because of the way the AAs list fields of testing.

Another comment from the committee was that analyte lists vary considerably from state to state. The problem could be solved if AAs were willing to add analytes to their list.

Another concern for the classification of fields of testing is how the changes would affect the national database. Changes in the standards may be streamlined but making these changes to the database will not be as easy. It was suggested that a member from the National Database Committee should be added to the workgroup. EPA is currently working independently on standardization of naming of fields of testing.

A state representative pointed out it would not be cost effective to be primary AAs for analytes that they do not consider important in their state.

The question was raised by one state as to what would make them want to become an AA. The cost of running their accreditation program would increase dramatically as would the cost of accreditation for their laboratories. It was pointed out that the principal advantage was the known quality of laboratory data.

A motion was forwarded to recommend that the Accrediting Authority Workgroup should continue to look for creative solutions to help laboratories in the interim period until the standard is revised with the most current issues surrounding Fields of Testing issues. The move was seconded and passed.

REPORT FROM ACCREDITING AUTHORITY WORKGROUP

Dr. Ken Jackson reported on the progress of the Accrediting Authority Workgroup, and referred to his comprehensive report which was given in the Opening Plenary session. The floor was opened to comments. A committee member commented that minutes from the Accrediting Authority Workgroup's meeting should be made available to the public as quickly as possible. The workgroup realized they have been a little slow in posting these minutes. Most decisions made by the workgroup were administrative or changes in wording that were sent back to the appropriate committees.

Another participant explained that some laboratories have differing opinions than their Accrediting Authority and were unsure about how to resolve their differences. The committee stated that the laboratories should make their opinions known to their Accrediting Authority. If the matter is not resolved there, it must be taken to the National Environmental Laboratory Accreditation Program (NELAP) Director for resolution, or alternatively, the AA may take the issue to the AA workgroup. The Director or the AA may wish to direct the issue to the appropriate NELAC committee.

Ms. Jeanne Hankins should be made aware of circumstances when the laboratory believes that the AA is not properly interpreting standards.

It was suggested that AA workgroup should be formally constituted so that their role would be formalized. Only the Board can make the recommendation to make a standing committee.

REVISED IMPLEMENTATION DATES

The Transition Committee had planned to announce the first accredited laboratories at NELAC VI. The time has been pushed back until January 2001, at which time they hope to report laboratories with primary and secondary accreditations. A concern was raised regarding laboratories whose current accreditations are expiring. It was suggested that AAs give an extension to laboratories whose accreditation expires between June 2000 and January 2001. Several AAs said this is not a problem because they have adopted NELAP standards into law and laboratories receiving accreditation in their states already meet the standards required by NELAP. Several AAs stated that they cannot waive the fees or make extensions in the interim before accredited laboratories are introduced. Other AAs suggested that they have made extensions to those who have applied for NELAC accreditation.

Several laboratories were confused as to whether they can apply for secondary accreditation prior to receiving their primary accreditation. The response was that laboratories can apply for the secondary application at this point. It was suggested that the national database may be impacting the forward movement of the accrediting authorities.

The current plan is that on some future date the AAs will simultaneously announce the list of laboratories which have received primary accreditation. Within 30 days they will then announce the list of laboratories which have received secondary accreditation.

EPA'S ROLE AS AN ACCREDITING AUTHORITY

Ms. Hankins reported that the EPA is currently working to become an accrediting authority. Regions are in agreement with this. Each Region will establish the number of laboratories they will be able to accredit in their Region. This is currently being held up by staffing issues. Another major issue is the scope of accreditation for the EPA Accrediting Authority.

EPA Regional offices would be authorized to accredit state laboratories in their region. Whether they will look at all fields of testing will depend on what EPA decides their Scope of Accreditation will be.

A question was raised as to whether a conflict of interest existed with regards to EPA Regional offices accrediting their own laboratories. It has been suggested that these offices would not accredit their own Regional laboratories, and that the assessment team would be non-EPA members made up of state or federal personnel.

ROLE TRANSITION OF COMMITTEE

The question was raised regarding the need for the continuation of the Transition Committee. Ms. Batterton responded that the need for a Transition Committee subcommittee (workgroup) composed of members from the Transition Committee, National Database Committee, and Program Policy and Structure Committee, and EPA representatives is an indication of the continuing need for the Transition Committee. Several participants from the floor stated that they felt strongly that the Transition Committee has a very important roles in NELAC and should continue and perhaps expand their membership.

The committee asked for volunteers who might be interesting in participating in this committee and in the workgroup. Consensus was that this committee will continue and perhaps expand their roles and membership. The meeting was adjourned at 12:15 p.m.

Attachment A

ACTION ITEMS
TRANSITION COMMITTEE MEETING
JUNE 28, 2000

Item No.	Action	Date to be Completed
1.	No action items were assigned.	

Attachment B

PARTICIPANTS
TRANSITION COMMITTEE MEETING
JUNE 28, 2000

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